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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY _____

Attorney for Plaintiff Charles Sanders

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CHARLES SANDERS

Plaintiff,

v.

**EXPERIAN INFORMATION
SOLUTIONS, INC.**

Defendant.

Civil Action No.

*SACV12-1530-CSC
(RNBx)*

**COMPLAINT FOR VIOLATIONS OF
FAIR CREDIT REPORTING ACT**

DEMAND FOR JURY TRIAL

PRELIMINARY STATEMENT

1. This is an action for damages brought by an individual consumer against the Defendant for violations of the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §§ 1681, *et seq.*, as amended.

JURISDICTION AND VENUE

2. Jurisdiction of this Court arises under 15 U.S.C. § 1681p and 28 U.S.C. § 1331.

3. Venue lies properly in this district pursuant to 28 U.S.C. § 1391(b).

1 **PARTIES**

2 4. Plaintiff Charles Sanders is an adult individual who resides in
3 Lansing, MI.

4 5. Defendant Experian Information Solutions, Inc. is a business entity
5 and consumer reporting agency that regularly conducts business in the Central
6 District of California, and which has its headquarters and a principal place of
7 business located at 475 Anton Boulevard, Costa Mesa, CA.

8 **FACTUAL ALLEGATIONS**

9 6. Defendant has been reporting derogatory and inaccurate statements
10 and information relating to Plaintiff and Plaintiff's credit history to third parties
11 ("inaccurate information") from at least June 2012 through present. The inaccurate
12 information includes numerous tradelines, including, but not limited to, accounts
13 with Ally Financial, AMEX, Bank of America, Capital One, Capital Bank, Chase,
14 Credit Protection Association, Fair Collections & Out, First Premier Bank, HSBC,
15 IC Systems, Midland, Nuvell, Primeway Federal Credit Union and Wells Fargo, as
16 well as identifying personal information.

17 7. The inaccurate information negatively reflects upon the Plaintiff,
18 Plaintiff's credit repayment history, Plaintiff's financial responsibility as a debtor
19 and Plaintiff's creditworthiness. The inaccurate information consists of accounts
20 and/or tradelines that do not belong to the Plaintiff, and that actually belong to at
21 least one other consumer. Due to Defendant's faulty procedures, Defendant mixed
22 the credit file of Plaintiff and that of at least another consumer with respect to the
23 inaccurate information and other personal identifying information.

24 8. Defendant has been reporting the inaccurate information through the
25 issuance of false and inaccurate credit information and consumer credit reports that
26 it has disseminated to various persons and credit grantors, both known and
27

1 unknown. Defendant has repeatedly published and disseminated consumer reports
2 to such third parties from at least June 2012 through the present.

3 9. Plaintiff's credit report and file has been obtained from Defendant and
4 has been reviewed by prospective and existing credit grantors and extenders of
5 credit, and the inaccurate information has been a substantial factor in precluding
6 Plaintiff from receiving different credit offers and opportunities, known and
7 unknown. Plaintiff's credit reports have been obtained from Defendant by such
8 third parties from at least June 2012 through the present.

9 10. As a result of Defendant's conduct, Plaintiff has suffered actual
10 damages in the form of credit denial or loss of credit opportunity, credit
11 defamation and emotional distress, including anxiety, frustration, embarrassment
12 and, humiliation.

13 11. At all times pertinent hereto, Defendant was acting by and through its
14 agents, servants and/or employees who were acting within the course and scope of
15 their agency or employment, and under the direct supervision and control of the
16 Defendant herein.

17 12. At all times pertinent hereto, the conduct of the Defendant, as well as
18 that of its agents, servants and/or employees, was intentional, willful, reckless, and
19 in grossly negligent disregard for federal law and the rights of the Plaintiff herein.

20 **Count One- Violations of the FCRA**

21 **(Plaintiff v. Defendant)**

22 13. Plaintiff incorporates the foregoing paragraphs as though the same
23 were set forth at length herein.

24 14. At all times pertinent hereto, Defendant was a "person" and
25 "consumer reporting agency" as those terms are defined by 15 U.S.C. § 1681a(b)
26 and (f).
27

16. At all times pertinent hereto, the above-mentioned credit reports were
“consumer reports” as that term is defined by 15 U.S.C. § 1681a(d).

17. Pursuant to 15 U.S.C. § 1681n and 15 U.S.C. § 1681o, Defendant is liable to the Plaintiff for willfully and negligently failing to comply with the requirements imposed on a consumer reporting agency of information pursuant to 15 U.S.C. § 1681e(b).

Jury Trial Demanded

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Cormac J. Carney and the assigned discovery Magistrate Judge is Robert N. Block.

The case number on all documents filed with the Court should read as follows:

SACV12- 1530 CJC (RNBx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

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NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☐ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☒ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.